

# **WINNIE MADIKIZELA MANDELALOCAL MUNICIPALITY**



## **ORGANISATIONAL DESIGN POLICY**

**Approved by the COUNCIL on:**

**13 MAY 2022**

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## 1. PREAMBLE

In terms of the Municipal Structures Act 117 of 1998, the objectives of this policy are to provide for the establishment a delegation authority in accordance with the requirements relating to the Municipality; to provide for an appropriate division of functions and power; to regulate the internal systems, structures and office-bearers of municipalities; and to provide for other matters in connection with the municipality's structure.

## 2. DEFINITIONS

- 2.1. **Established post:** means a formally created post intended to be filled on a permanent basis or on a long-term basis,
- 2.2. **Unestablished post:** means a position not firmly based, it is a casual or temporarily created position which is created to fulfil a certain temporary project duties.
- 2.3. **Non-Section 57 post:** means a post not created in terms of Section 57 of the Municipal Systems Act, 2000,
- 2.4. **Section 57 post:** means a post of a senior manager created by the Municipality in terms of the provisions of Section 57 of the Municipal Systems Act, 2000, as amended,
- 2.5. **Job Description:** means a systematic approach that is set to evaluate if the responsibilities of the position and the task grade or salary paid for it tally.
- 2.6. **Job evaluation:** means the systematic way of determining the value of a job in relation to other jobs in an organization.
- 2.7. **TASK:** means Tuned Assessment of Skills and Knowledge.
- 2.8. **TASK System:** means the task job evaluation system in terms of its rules, application definition and terminology.

## 3. LEGAL FRAMEWORK

- 3.1. Municipal Systems Act 32 of 2000
- 3.2. Basic Conditions of Employment Act 75 of 1997
- 3.3. Labour Relations Act 66 of 1995
- 3.4. SALGBC Main Collective Agreement

## 4. OBJECTIVES OF THE POLICY

- 4.1. To provide a framework for the formulation of an establishment plan for the Municipality,

- 4.2. To put in place requirements for organisational establishment,
- 4.3. To give effect to the objectives of the Municipal Structures Act, 1998 and Municipal Systems Act, 2000 as amended,
- 4.4. To provide a framework for formulation of a responsive Human Resources Plan and
- 4.5. To regulate formulation of organograms, creation and abolition of posts within the Municipality.

## **5. SCOPE OF THE POLICY**

- 5.1. This policy shall apply to all the permanent and temporary functionaries of the Municipality, unless otherwise specified,
- 5.2. This policy shall also apply to posts created in terms of Sections 56/57 of the Municipal Systems Act, 2000, as amended and
- 5.3. This policy shall apply to the creation of both established and non-established posts within the Municipality.

## **6. DEVELOPMENT, APPROVAL AND CHANGES TO THE ORGANISATIONAL STRUCTURE**

- 6.1. The Municipal Manager must develop an organisational structure –
  - 6.1.1 consistent with the provisions of section 51 of the Municipal Systems Act and the principles contained in this policy;
  - 6.1.2 to give effect to the Municipality's integrated development plan and strategic objectives; and in accordance with appropriate and universal principles of organisational design.
  - 6.1.3 The Municipal Manager must, as soon as he/she has finalised the organisation structure of the Municipality, or affected any changes to the approved structure, submit her/his proposals thereon for consultation to the Local Labour Forum.
  - 6.1.4 The Municipal Manager must give the Local Labour Forum a reasonable time to consider and comment on the proposed organisation structure or amendment thereof. As soon as the Municipal Manager receives the comment, if any, of the Local Labour Forum, she/he must consider those comments and may –
    - a) amend the proposed organisational structure in view thereof; or
    - b) reject the comment of the Local Labour Forum with reasons for such rejections and approve the organisation structure.
  - 6.1.5 After consideration of LLF inputs the Municipal Manager shall within the policy framework

determined by the Municipal Council and subject to any applicable legislation submit the Organisational structure to the Municipal Council for approval.

- 6.1.6 Municipal Manager must in respect of each position in the organisation structure –
- a) provide a designation consistent with the TASK job evaluation system;
  - b) provide a job description and post specification in accordance with the job evaluation system;
  - c) ensure that each such position is evaluated in accordance with the job evaluation system before any appointment is made thereto; and
  - d) within one month after a position has been evaluated and the evaluation results made available, determine whether such position is a promotion position or an entry position, provided that no position that has been designated as a position to be filled in terms of section 57 of the Municipal Systems Act may be designated as promotion position.

## **7. DESIGNATION OF POSITIONS TO BE FILLED IN TERMS OF SECTION 57 OF THE MUNICIPAL SYSTEMS ACT**

- 7.1. The Municipal Manager and departmental heads must be appointed in terms of a written fixed term employment contract, subject to the conclusion of an annual performance agreement, as contemplated in section 57 of the Municipal Systems Act.
- 7.2. As soon as the Municipal Council has approved the organisation structure of the Municipality, the Council must, after consultation with the Municipal Manager, indicate which positions in the establishment other than those of the Municipal Manager and departmental heads must be filled in terms of a fixed term employment contract.

## **8. STAFF ESTABLISHMENT**

- 8.1. The staff establishment consists of –
  - 8.1.1 positions on the permanent establishment; and
  - 8.1.2 positions on a fixed term contract.
- 8.2. The permanent establishment contains all positions that must be filled on a permanent basis and those that must be filled for a fixed term employment that are created.

8.3. The Senior Manager: Corporate Services must create and maintain the staff establishment on an electronic database.

8.4. The staff establishment database must contain the following information relating to each position:-

- 8.4.1 the designation/title of the position;
- 8.4.2 the job level/task grade of the position as approved by the bargaining council after the position has been evaluated;
- 8.4.3 details regarding the remuneration, benefits and allowances of the position;
- 8.4.4 the leave entitlements of the position;
- 8.4.5 the budget vote from which the position is funded;
- 8.4.6 whether the position is a full or part-time position;
- 8.4.7 whether the position must be filled on a permanent or fixed term basis;
- 8.4.8 whether the position is an entry level or a promotion position;
- 8.4.9 the department or other organisational unit to which the position is assigned;
- 8.4.10 any other relevant information.

## 9. CREATING NEW PERMANENT POSITIONS

9.1. Departmental head wishing to create a new permanent position in her/his department must submit a written application, via the Senior Manager: Corporate Services, to the Municipal Manager during the review of the organisational structure.

9.2. An application for creating a new permanent position must contain the following information:-

- 9.2.1 details of the department and section in that department in which where the position must be created.
- 9.2.2 a full explanation of the functions and responsibilities of the proposed position in accordance with the TASK job evaluation system.
- 9.2.3 an exposition of the need for the position.
- 9.2.4 the alternative solutions that were considered for performing the proposed job duties allocated to the position, including re-organisation of work, rather than creating the position.
- 9.2.5 the reasons why each of the alternatives have been rejected.
- 9.2.6 a full explanation of the estimated costs of the position for the municipality during the next three years.
- 9.2.7 if provision has not been made in the budget for the proposed position, an indication of the budget vote from which the position will be financed.
- 9.2.8 whether the position must be filled on a permanent, fixed term part time basis.

9.3. The Municipal Manager's decision with regard to an application for creating a new permanent position is final.

## 10. ABOLISHING EXISTING PERMANENT POSITIONS

10.1. Departmental head wishing to abolish an existing permanent position in her/his department must submit a written application, via the Senior Manager: Corporate Services, to the Municipal Manager.

10.2. An application regarding the abolishing of an existing position must state:-

10.2.1 the reasons for abolishing the position; and

10.2.2 the measures that must be taken to ensure that functions relating to the position would continue to be performed, if necessary.

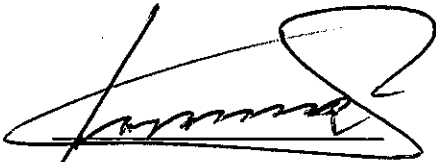
10.3. Whenever a position is abolished that is still occupied, the incumbent must be dealt with in terms of the Migration and Placement Policy of the Municipality.

10.4. The Municipal Manager's decision with regards to abolishing of a permanent position is final.

## 11. POLICY REVIEW AND REPORT

1.1. The policy document shall be reviewed annually and/or when deemed necessary especially if there is a change in Collective agreement or legislation and submitted as part of the budget approval process.

Signed on the 22 day of 06 201



MUNICIPAL MANAGER

